

ITEM VI-A: ADMISTRATIVE PERMIT – 6 SOMER RIDGE DRIVE – EDDLEMON PATIO COVER – FILE# 2005 PL-112 (AP-000080)

REQUEST

The applicant requests approval of an Administrative Permit to allow an 8' tall fence along a portion of the side property line, and to allow a 1' 6" side yard setback and 1' rear yard setback for a 12' tall patio cover, where a 5' side and rear yard setback is required.

Applicant / Property Owner – Ron Eddlemon

SUMMARY RECOMMENDATION

The Planning & Redevelopment Department recommends that the Planning Commission take the following actions:

- A. Adopt three (3) findings of fact for the Administrative Permit; and
- B. Approve the Administrative Permit subject to seven (7) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

The adjacent neighbor, located at 4 Somer Ridge Drive, is not in agreement with Staff's recommendation. Staff has made several attempts to reach an acceptable alternative; nevertheless, the appellant requests that the patio cover be moved back 3' 6" to the required 5' setback.

BACKGROUND

At the Planning Commission meeting on May 11, 2006, the Commission heard the request for an Administrative Permit to allow reduced setbacks for a 12' tall patio cover. The item was continued to allow the applicant's request, for an 8' tall side yard fence, to be incorporated into the Administrative Permit. The proposed fence will consist of the same material and match the design of the existing fence (Exhibit B). The Commission expressed the hope that the applicant and neighbor could meet and come up with a mutually agreeable solution. Staff attempted to facilitate resolution of the issue, but unfortunately a mutually agreeable solution has not been reached. Staff has re-noticed the project, and to date, no additional comments have been received from adjacent property owners or interested residents. The original Staff Report has been included as Attachment 5 for the Commission's review.

After further discussions with the applicant, Staff has revised condition #7, requiring three bamboo trees be planted on the applicant's lot (6 Somer Ridge Drive) to help further screen the patio cover. In the original review, Staff found the space located between the patio cover and the fence too narrow to plant landscaping. After further consideration, the applicant has decided that bamboo trees could be planted in this area. Staff believes that the proposed landscaping will provide adequate screening. In addition, the proposed mitigation will not require any modifications to the appellant's property.

SUMMARY / CONCLUSION

The applicant's request has been revised to include an 8' tall fence and landscaping on his property, adjacent to 4 Somer Ridge Drive. The newly constructed fence will measure 6' in height for approximately 54' along the side property line, and will increase to 8' in height along the last 32' of the

property line (Attachment 1). Staff recommends the Planning Commission adopt the three findings of fact and approve the Administrative Permit. However, should the Planning Commission disagree with Staff's recommendation, an alternative action is available.

RECOMMENDATION

The Planning & Redevelopment Department recommends that the Planning Commission take the following actions:

- A. Adopt the three findings of fact for the Administrative Permit – 6 Somer Ridge Drive – Eddlemon Patio Cover – File # 2005PL-112 (AP-000080):
 1. **The proposed use or development is consistent with the City of Roseville General Plan.**
 2. **The proposed use or development conforms with all applicable standards and requirements of the Zoning Ordinance.**
 3. **The location, size, design, and operating characteristics of the use or development is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to the public or private property or improvements.**
- B. Approve the Administrative Permit – 6 Somer Ridge Drive – Eddlemon Patio Cover – File # 2005PL-112 (AP-000080), as shown in Exhibit A.

CONDITIONS OF APPROVAL FOR ADMINISTRATIVE PERMIT #AP-000080

1. The project is approved as shown in Exhibit A and as conditioned or modified below. (Planning & Redevelopment)
2. This permit shall be valid for a period of two (2) years from this date and shall expire on **June 8, 2008**. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, that this approval shall be extended for no more than one year from **June 8, 2008**. (Planning & Redevelopment)
3. The plans submitted to the Building Department for permits shall indicate all approved revisions/alterations as approved by this permit, including all conditions of approval. (Building)
4. The patio cover shall not exceed 12 feet in height per CBC appendix chapter 31. (Building)
5. Building permit plans shall comply with all applicable code requirements (Uniform Building Code - UBC, Uniform Mechanical Code - UMC, Uniform Plumbing Code - UPC, Uniform Fire Codes - UFC and National Electrical Code - NEC), California Title 24 and the American with Disabilities Act - ADA requirements, and all State and Federally mandated requirements in effect at the time of submittal for building permits (contact the Building Department for applicable Code editions). (Building)
6. The applicant shall construct a new fence adjacent to 4 Somer Ridge Drive within 30 days of the approval date. The portion of the fence located along the last 32' of the side property line shall measure 8' in height. (Planning & Redevelopment)

7. The applicant shall plant three bamboo trees on his property along the side property line, between the patio cover and the fence, adjacent to 4 Somer Ridge Drive within 30 days of the approval date. (Planning & Redevelopment)

ALTERNATIVE ACTION

- A. Adopt Findings of Fact for denial as follows:
 1. **The proposed use or development is not consistent with the City of Roseville General Plan.**
 2. **The proposed use or development does not conform to all applicable standards and requirements of the Zoning Ordinance.**
 3. **The location, size, design and operating characteristics of the use or development is not compatible with and will adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to the public or private property or improvements.**
- B. Deny the Administrative Permit and direct the applicant to bring the patio cover into compliance with the Zoning Ordinance within 60 days.

ATTACHMENTS

1. Vicinity Map
2. Photo of patio cover
3. Photos of patio cover from neighbor's backyard
4. Photos of the patio cover from neighbor's side yard
5. Staff Report for May 11, 2006 Planning Commission Meeting

EXHIBITS

- A. Site Plan
- B. Fence Elevation

Note to Applicant and/or Developer: Please contact the Planning & Redevelopment Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing.